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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,653	08/31/2001	Juergen Reinold	IA00007	1794

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MOTOROLA, INC.
CORPORATE LAW DEPARTMENT - #56-238
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EXAMINER

BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,653

Applicant(s)

REINOLD ET AL.

Examiner

Yasin M Barqadle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

Claims 1-30 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10, 12-20 and 22-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Razavi et al USPN. (6370449) in view of Nathanson US Pub.. (20020150050).

As per claim 1, Razavi et al teach a method for providing data communication in vehicles (abstract), the method comprising the steps of:

providing within a first vehicle a first vehicle active network providing intra-vehicle data communications for devices communicatively coupled to the first vehicle active network [an automobile incorporates networked devices in an in-car network

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col. 2, lines 12-33; col. 3, lines 30-37 and col. 5, lines 48-55];

Although Razavi et al shows substantial features of the claimed invention, including where the in-car sub-network communicates to external networks and by utilizing devices that provide a "last-hop" service, where a node on a first network communicates to a node on a second network (col. 6, lines 26-45), he does not explicitly teach where the second node/external network is a vehicle.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Razavi et al, as evidenced by Nathanson USPN. (20020150050).

In analogous art, Nathanson whose invention is about a vehicle communication system that is capable of communicating both through a data communications system and with themselves, disclose a vehicle-to-vehicle data communication system [figs. 14 and 17; ¶ 98 and ¶152-155]. Giving the teaching of Nathanson, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Razavi et al by employing the system of Nathanson because it enables two or more devices to communicate directly with one another and to exchange critical operational information between vehicles [¶ 152-55 and ¶ 274].

providing within a second vehicle a second vehicle active network (a sub-network implemented within a plurality of vehicles col. 5, lines 37-41) providing intra-vehicle data communications

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for devices communicatively coupled to the second vehicle active network [col. 2, lines 12-33; col. 3, lines 30-37 and col. 5, lines 48-55];

Razavi et al further teach communicatively linking the first vehicle active network and the second vehicle active network (col. 6, lines 26-45); and

communicating data from a first device communicatively coupled to one of the first vehicle active network and the second vehicle active network to a second device communicatively coupled to one of the first vehicle active network and the second vehicle active network using the first vehicle active network and the second vehicle active network [col. 3, lines 30-37; col. 5, lines 48-55 and col. 6, lines 26-45].

As per claim 2, Nathanson as modified teaches method of claim 1, further comprising the step of providing data from the first vehicle to the second vehicle via the first vehicle active network and the second vehicle active network [¶ 152-55 and ¶ 274].

As per claim 3, Razavi et al teach the method of claim 2, wherein the data comprises navigation data [col. 6, lines 58- to col. 7, line 7].

As per claim 1, Razavi et al teach the method of claim 2, wherein the data comprises entertainment data [col. 8, lines 11-14].

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As per claim 5, Razavi et al teach the method of claim 2, wherein the data comprises message data [col. 7, lines 61-63].

As per claim 6, Razavi et al teach the method of claim 2, wherein the data comprises vehicle function data [col. 7, lines 64-67].

As per claim 7, Razavi et al teach the method of claim 1, wherein the first active network and the second network comprises providing a wired data link [col. 3, lines 42-60].

As per claim 8, Razavi et al teach the method of claim 1, wherein the first active network and the second network comprises providing a radio frequency data link [col. 3, lines 42-60].

As per claim 9, Razavi et al teach the method of claim 1, wherein the first active network and the second network comprises providing an optical data link [col. 3, lines 42-60].

As per claim 10, Razavi et al teach the method of claim 1, wherein the first vehicle comprises a motor vehicle and the second vehicle comprises a non-motor vehicle [col. 5, lines 35-44].

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As per claim 12, Nathanson as modified teach the method of claim 1, further comprising communicatively linking a third network of a third vehicle to one of the first active network and the second active network [plurality of vehicles exchange data ¶ 274].

As per claim 13, Razavi et al teach the method of claim 1, further comprising the steps of:

determining the existence of a fault in the first vehicle and bypassing the fault in the first vehicle using the second active network [col. 4, lines 16-30].

As per claim 14, Nathanson as modified teach the method of claim 1, further comprising communicatively linking the first active network and the second active network comprises linking the first active network and the second active network based on the proximity of the first vehicle to the second vehicle [¶ 305-307].

As per claim 15, this claim has similar limitations as claim 1. Therefore it is rejected with the same rationale. As for the first and the second devices being interconnected [see fig. 2, Razavi et al].

As per claim 16, Razavi et al teach the vehicle of claim 15, wherein the first active network comprises an interface for

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communicatively linking the first active network and the second active network [col. 4, lines 40-56].

As per claim 17, Razavi et al teach the vehicle of claim 15, wherein the interface comprises a wired coupling [col. 3, lines 42-60].

As per claim 18, Razavi et al teach the vehicle of claim 15, wherein the interface comprises a radio frequency coupling [col. 3, lines 42-60].

As per claim 19, Razavi et al teach the vehicle of claim 15, wherein the interface comprises an optical coupling [col. 3, lines 42-60].

As per claim 20, Razavi et al teach the vehicle of claim 15, wherein the second vehicle comprises a non-motor vehicle [col. 5, lines 35-44].

As per claim 22, Nathanson as modified teach the vehicle of claim 15, wherein the data is communicated between the first active network and the second active network [plurality of vehicles exchange data ¶ 274].

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As per claim 23, Razavi et al teach the vehicle of claim 22, wherein the date comprises navigation data [col. 6, lines 58- to col. 7, line 7].

As per claim 24, Razavi et al teach the vehicle of claim 22, wherein the date comprises entertainment data [col. 8, lines 11-14].

As per claim 25, Razavi et al teach the vehicle of claim 22, wherein the date comprises message data [col. 7, lines 61-63].

As per claim 26, Razavi et al teach the vehicle of claim 22, wherein the date comprises vehicle function data [col. 7, lines 64-67].

As per claim 27, Nathanson as modified teach the vehicle of claim 15, wherein the first active network is adapted to automatically link to the second active network based upon a proximity of the second vehicle [¶ 305-307].

As per claim 28, Razavi et al teach a communication network comprising (abstract):

a plurality of vehicles, each vehicle having an active network for data communication within the vehicle (col. 3, lines 30-37; col. 5, lines 37-55), each active network being adapted to

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communicatively couple to the active network [col. 6, lines 26-45].

As for at least one other vehicle of the plurality of vehicles, and wherein the active network of at least two vehicles of the plurality of vehicle are communicatively coupled [see the combination made in claim 1 above].

As per claim 29, Nathonson as modified teach the communication network of claim 28, wherein the active networks of the at least two vehicles communicatively link based upon a proximity of the at least two vehicles [¶ 274 and ¶ 305-307].

As per claim 30, Nathonson as modified teach the communication network of claim 28, wherein the at least two vehicles are operable to exchange data via the communicatively coupled active networks [¶ 152-55 and ¶ 274].

Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Razavi et al USPN. (6370449) in view of Nathonson US Pub. (20020150050).

As per claim 11 and 21, Although Razavi and Nathonosn show substantial features of the claimed invention, they do not explicitly show where a first vehicle tows a second vehicle. Nonetheless, this feature is well known in the art and it would

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have been obvious to one ordinary skill in the art at the time of the invention was made to have a first vehicle tow a second vehicle so that it could be transported to distant locations for the advantage of reducing the cost of a gas and another driver.

Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

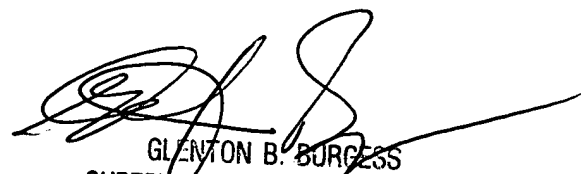
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 703-305-5971. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 703-305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Yasin Barqadle

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